

United States District Court  
District of Massachusetts

RECEIPT # 52920  
FILED  
JAN 6 2004  
CLERK'S OFFICE  
ISS. 4.1  
R OF SERV.  
JAN 6 2004  
P. 3: 52  
MASS. DISTRICT COURT  
CLERK'S OFFICE  
DATE 1-6-04

Plaintiff ; Florenzo Di Donato

V  
S

04-10021 JLT

Defendant; Secretary of State; State Election Office, and Democrat  
Committee Chairman Philip Johnston

Complaint

(mag Judge Alexander)

1. The plaintiff is a resident of Arlington, Middlesex County, Massachusetts,  
and a citizen of the United States.
2. The Defendant Secretary Galvin is the Secretary of Massachusetts  
and a citizen of the United States and  
Philip Johnston State Democrat Chairman of Massachusetts office  
located out of Quincy and a citizen of the United States.
3. The Other Defendants are the Clerks who operate the Election Office  
Up on the 17th Floor In the Ashburton Pl. Bld. in Boston ,Suffolk County  
Massachusetts, who are also Citizens of the United States.
4. See page 1 It's a question of Federal Law I believe that my rights  
have been violated.

Plaintiff's request for  
injunctive relief is denied -  
D.J.  
Tanner  
1/6/04

As a Former Democrat Presidential Candidate who ran in The Presidential Primary of 1988, and as a Democrat who ran in four other Congressional races three against the Former Speaker of the House Thomas Tip O'Neill and once against Joseph Kennedy Starting in 1974 and 1976 and again in 1978 and again in 1986. I am very disappointed with the Treatment that I received by the elites of my Party, I have done nothing wrong to deserve this kind of treatment. As A kid Growing-up in Charlestown I and my buddy's helped John F Kennedy as all the townie neighborhood kids did back then, never suspecting that later on in life I would be Black balled by certain members of the party. Your honor, you may ask why stay in that party if your not welcomed , all that I can say is that, I love the democrat party's rank and file citizens, because they truly believe in America, they don't Just talk to be heard. The Average Democrat really loves America and what America believes in. Yet there are those who forget what our Party is suppose to be but more so what it can be. I guess what I'm trying to say is all men are created equal and that's as it should be, for the Spirit of this nation is made up of all The People. When I, as with all Democrats, are purposely ignored by those who want us to believe that they are infallible , I would like to remind them that only God is Immortal, and to get with it before their Mortal day's are over. With this in mind I continue to run. It matters not Whether I win or lose, hopefully all America will one day Succeed. I Took out Nomination Papers again for the 2004 Presidential state Primary, here in Massachusetts with the intention of trying to speak at the Democrat Convention for those Democrats who love the party yet feel they have been disenfranchised from participating in it. Such as those Judo-Christian Pro-Life members which I believe have a Right to be heard, as all other members do. Those values are desperately needed in our Society today, and I believe that most Democrats truly feel the same way about it. I would like Very much to be remembered as the Democrat who saved the soul of our Party. Those are my Reasons for trying to make the Ballot. I asked no one

for their Funds or their Aid But only for their consideration for the views of other members. I started my campaign on a shoe string, so who could I Possibly hurt. On the other hand, who could It help I believe by showing our youth that nothing is Impossible here in America, we are doing what a good Democrat needs to be doing. On and around the 26<sup>th</sup> of sept,2003 I went up to the State Election office here In Massachusetts to enter the presidential primary. Once again I Received Four Reams of Nomination papers, I then went home and started to sych myself up to accomplish this task. I order the Ink cartridges that I needed to Print up my Papers and I discovered that my computer was down so I worked at trying to correct that problem for the next few days. I then set out to try to gather my signatures. I scheduled my self to gather a page a day which would put me on target for the next three or four days. I kept busy trying to accomplish this task, and then it happened someone vandalized my car cutting the wires to my P.A. system which really stressed me out, because my signed papers were also taken. I was almost ready to give-up, but a couple of day's later I started over again. In between all this I explored trying to get some help In soliciting some of my signatures. I posted some signs around Arlington Medford Somerville and Cambridge, their was absolutely no response at all, so I set out once again, and attempted to solicit my own signatures. After doing this for a few day's, It Came to my attention that I was using the wrong papers. The papers that I was using were Pre-dated March 7, 2000. I was furious so I went back up to the State Election Office to register my complaint, and was told by the clerk that it was impossible. He asked to see those papers and I told him that I had left them home and that I would bring them in the first chance that I had. He then issued me two new reams, and said if it's true that I received papers bearing false dates the secretary's office would do something for me. So I left the Election Office feeling that I would receive some sort of compensation, I then Proceeded to gather more signatures. I went to Chelsea where nine out of ten People that I asked to sign spoke no English. As frustrating as it was I

continued on trying to secure my needed Signatures. After securing and depositing my first batch of Signatures which was really my third batch, I returned them back to the state election office, and got my accredited receipt for the signatures that I turned in. I then turned over the bogus-dated- papers that I received from that office. They asked me to leave those papers without issuing me a receipt. I refused to do so and asked to see the Secretary first, they said that I would have to go up to his statehouse office which I did, and I was told by his receptionist that he was out, and that I should Return on the following day which I did again. Again I was told that he was out and after explaining to the male receptionist why I wanted to see the Secretary of state, he suggested that I leave those bogus papers with him and he would have the secretary call me. At this Point I was Feeling a little dis-infranchised.

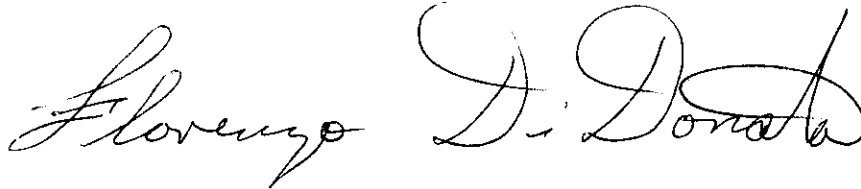
On Jan.2<sup>nd</sup>,2004 I once again called the State Election office, I asked for the S.B.L.C. Address and phone number, I was told over the phone by one of their clerks, that Attorney Michele (now and then) does some paper work for S.B.L.C. My deduction is, if that clerk's statement is true, and seeing that my problem probably stem's from that Election office, I could not honestly get a fair ruling on my objecting to their procedures. So in considering those circumstances I have decided to seek equity by submitting a 'Preliminary Injunction' to the Court, and pleading for the courts decision to uphold my right to run, by placing my name on the 2004 ' State Democratic Presidential Primary Ballot' As a potential Democrat Candidate. I too hold these truths to be self evident, I hold no one responsible for this mistake, but because it has cost me so much in so far as, injuring my dignity my pride, and much loss of valuable time and expenses, at a time when I am so financially pressed. I truly tried, my very best to meet all of my campaign obligations by taking it all in as a Challenge. It has been a Struggle, in leiu of my situation; I am still convalessing from being struck by a car while I was riding my bike back in 1995. Back then I was told that there was nothing to worry about;

everything was going to be all right. A week later I collapsed at home and I was rushed off to the Winchester Hospital in an unconscious state and then having that hospitals Practitioners telling my Brothers, that I had no chance of Recovering because, I was to far gone, and there was nothing that they could do to help me in my condition. Later I was told that my brothers demanded that an ambulance be called to take me to the Mass. General Hospital in Boston, which they finally did. I was there for the next month and a half, Unknown to me, I had undergone an aortic repair, and a year or so later I underwent another operation this time it was for a ruptured double hernia. As you can see I am a survivor. Thank God and Dr. Torchiana and his surgical staff, and Thanks to the Staff at the Spaulding Rehabilitation Clinic, And to my Primary-care Doctor Kathleen Mc Kibbins. I'm still here and still trying to Survive, even though my chances, to retrieve what I have spent my life in pursuit of and even though at times it appears to me, to be an impossible task, but as I said 'I Continued-on in my pursuit and I guess That I always will, up until the very end'. I have been taking medication that my Doctor's prescribed since 1995 I have refused to take any Narcotic Medication as a pain killer, from the time that I regained consciousness, up to the present day. For me your Honor Life has been an up hill battle, from the time, that I was suspended from High School, for something that I did not do. Because of what had happened to me in High School I was incapable of getting a good job, I received no justice in so far as seeking employment was concerned. So I put my best effort, into trying to create my own little game company, as an Inventor I developed and attempted to market many games and idea's, which I Registered and Copyrighted in the U.S. Patent and Copyright Offices in Washington D.C. many of these U.S. Registered idea's were plagiarized from me, They even Plagiarized my U.S. Registered Company Trade mark name, ' Gemini '® Along with my other registered and copyrighted Games such as 'Lingo' ® 'BostonRummy'® 'Dummy Rummy'™/ 'Jingo'® 'Revolution'™/MA 'Snappy the Snowman© & Frosty-Bag's ©

It hurts me deeply to discuss what had happened to me, but for the sake of running for Office, which I did in five prior Elections, I have learned a valuable lesson in my life which is, I learned that 'I am better at speaking up for others, than I am for myself'. Getting back to my reason for objecting to the treatment I received in this Presidential, State Primary Election I Truly tried my best Your Honor and if, it were not for the mix-up of my nomination papers, (causing me much frustration and anxiety and loss of Time) in so far as my soliciting signatures on bogus Papers that I received from the State Election office I'm sure that I would have made 'The Presidential Primary Ballot'. At the very beginning of my campaign I received Four reams of Nomination Papers, from the State Election Office, of which Two of those reams, were fraudulently Bogus 'How Who When or Where is not my concern, for it is not my intention to point a finger of blame at anyone, but it did happen and I am the Victim. It was brought to my attention, when one of the signers was about to sign, and Noticed that the date on the paper was Tuesday, March 7, 2000 Instead of the proper date 'March 2, 2004'. and also I believe, If the other Wrongs 'had not' been perpetrated against my candidacy by the vandalizing of my P.A. System in my Car and Ripping-off my other Nomination Papers, I'm Doubly sure that I would have made it onto the ballot. On top of, all that had happened. We were also hit by a snow storm and some of the coldest day's that I had ever experienced in all of my past Election- Bids. I was also called three times within that period for three V.A. physicals and to report for jury duty. In spite of what had happened I still went on to gather a total of Twenty-Three hundred signatures of which only thirteen-hundred were certified. You're Honor in Lieu of all that has happened to me; I beg and pray that you will, grant me your approval, and have my name placed on the ballot...

Respectfully Submitted by Democrat Florenzo Di Donato

**Wherefore the Plaintiff is seeking from the Judge, an order to have the Plaintiff's name Placed on the 2004 State Presidential Primary Ballot as a Democrat Candidate, in lieu of the unfair treatment that I recieved when trying to bring it to the attention of the Secretary of state and the Chairman of the States Democrat Party, Here In Massachusetts...**

A handwritten signature in cursive script, reading "Florenzo Di Donato". The signature is written in black ink and is positioned above the printed name.

**Florenzo Di Donato**

**197 Forest Street**

**Arlington,Massachusetts 02474**

**Telephone# ( 781) 643-6965**